

REC  
10/17/03  
#5

DOCKET NO. 119959

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3652  
Examiner : Dean J. Kramer  
Serial No. : 10/068,093  
Filed : February 5, 2002  
Inventor : Krishna P. Singh et al.  
Title : BELOW GRADE CASK TRANSFER FACILITY

Docket: 119959

OFFICIAL

I hereby certify that this correspondence is being  
facsimile transmitted to the Patent and Trademark Office  
on 10/17/03

Brian L. Belles  
Brian L. Belles, Reg. No. 51,322

MAIL STOP: RESTRICTION REQUIREMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

RECEIVED  
CENTRAL FAX CENTER  
OCT 17 2003

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action of September 17, 2003, Applicants elect with traverse  
Invention I, which is drawn to the system and consists of claims 1-18.

Applicants traverse the restriction requirement because the search and examination of the entire present application can be made without serious burden. According to MPEP § 803, "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." See MPEP § 803 (emphasis added). In the present application, the Inventions I and II are very closely related. Any search performed for the apparatus will likely uncover the relevant prior art for the process, and vice-versa. In fact, it is likely that the same prior art will be cited against both the process and apparatus claims if a rejection is issued.

DOCKET NO. 119959

PATENT

For this reason, following the instructions of the MPEP, the restriction requirement should be withdrawn.

Respectfully Submitted,

Date: 10/17/03

Brian L. Belles

Brian L. Belles  
Reg. No. 51,322  
Cozen and O'Connor  
1900 Market Street  
Philadelphia, PA 19103  
(215) 665-7244

RECEIVED  
CENTRAL FAX CENTER

OCT 17 2003

BLB/kf

OFFICIAL

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/088.093	
	Filing Date	February 5, 2002	
	First Named Inventor	Singh	
	Art Unit	3652	
	Examiner Name	Dean J. Kramer	
Total Number of Pages in This Submission	3	Attorney Docket Number	119959

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Brian L. Belles	
Signature	<i>Brian L. Belles</i>	
Date	October 17, 2003	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Brian L. Belles		Date
Signature	<i>Brian L. Belles</i>		October 17, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PHILADELPHIA  
ATLANTA  
CHARLOTTE  
CHERRY HILL  
CHICAGO  
DALLAS  
DENVER  
LAS VEGAS  
LONDON  
LOS ANGELES



NEWARK  
NEW YORK  
SAN DIEGO  
SAN FRANCISCO  
SEATTLE  
TRENTON  
WASHINGTON, DC  
WEST CONSHOHOCKEN  
WICHITA  
WILMINGTON

A PROFESSIONAL CORPORATION

1900 MARKET STREET PHILADELPHIA, PA 19103-3508 215.665.2000 800.523.2900 215.665.2013 FAX www.cozen.com

FACSIMILE

RECEIVED  
CENTRAL FAX CENTER  
OCT 17 2003

FROM: Brian L. Belles

TIMEKEEPER NO.: 1763

SENDER'S PHONE: 215.665.7244

SENDER'S FAX: 215.701.2044

# OF PAGES (INCLUDING COVER): 4

FILE NAME: Below Grade Cask Transfer Facility

DATE: October 17, 2003

FILE #: 119959

RECIPIENT(S)	PHONE	FAX
USPTO - Mail Stop: Restriction Requirement		703 872-9306

OFFICIAL

MESSAGE: For Serial No. 10/068,093, filing date Feb. 2, 2002; Below Grade Cask Transfer Facility, Inventors: Singh and Agace

attached is Response to Restriction Requirement of 9/17/03 (on 2 pages);  
transmittal form on one page making a total of 4 pages including this cover  
sheet

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 215.665.2000 or 800.523.2900 IMMEDIATELY.

THIS TRANSMISSION IS ALSO BEING SENT VIA:

- ☐ Regular Mail
- ☐ Certified Mail
- ☐ Hand Delivery
- ☐ Overnight Mail
- ☐ Federal Express

## NOTICE

The information contained in this transmission is privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended addressee, the reader is hereby notified that any consideration, dissemination or duplication of this communication is strictly prohibited. If the addressee has received this communication in error, please return this transmission to us at the above address by mail. We will reimburse you for postage. In addition, if this communication was received in the U.S., please notify us immediately by phoning and asking for the Fax Center.